

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

SALVADOR OCAMPO-VERGARA,
REG. NO. 58321-379

PLAINTIFF

V.

CIVIL ACTION NO. 3:20-CV-619-DPJ-FKB

CORDERO CLARK, ET AL.

DEFENDANTS

ORDER

Plaintiff Salvador Ocampo-Vergara, a federal prisoner formerly incarcerated at the Federal Correctional Complex in Yazoo City, Mississippi, filed this *Bivens* action against Defendants Cordero Clark, Reginald Dean, and Unknown Hughes. In a Report and Recommendation [51] entered August 9, 2022, United States Magistrate Judge F. Keith Ball recommended granting the motion for summary judgment [41] filed by Clark and Dean. Judge Ball also recommended dismissing Unknown Hughes based on Plaintiff's failure to serve process and failure to prosecute. The R&R provided Plaintiff an opportunity to file an objection. Plaintiff did not, and the time to do so has passed.

The Court, having reviewed the unopposed Report and Recommendation, finds it correctly disposes of the claims and adopts it as the opinion of the Court. *See* Fed. R. Civ. P. 72(b) advisory committee's note ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.").

Accordingly, the Report and Recommendation [51] is adopted, and Defendants' motion for summary judgment [41] is granted. Plaintiff's claims against Clark and Dean are dismissed

with prejudice; Plaintiff's claims against Unknown Hughes are dismissed without prejudice for failure to prosecute.¹

SO ORDERED AND ADJUDGED this the 30th day of August, 2022.

s/ Daniel P. Jordan III
CHIEF UNITED STATES DISTRICT JUDGE

¹ Dismissal of the action in its entirety is unwarranted at this time; the Court will next consider Plaintiff's motion to amend [38-1]. *See* Order [50].